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LETTER DATED 17 DECEMBER 1991 FROM THE REPRESENTATIVES OF BELGIUM, FRANCE AND THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

We have the honour to bring to your attention the texts, in French and English, of a declaration on Yugoslavia and a declaration on the "Guidelines on the recognition of new States in Eastern Europe and in the Soviet Union", which were adopted by the European Community and its member States at their ministerial meeting held at Brussels on 16 December 1991.

We should be grateful if you would have the text of this letter and its annexes circulated as an official document of the Security Council.

(Signed) Paul NOTERDAEME
Permanent Representative of Belgium to the United Nations

(Signed) Jean-Bernard P. H. P. MERIMEE
Permanent Representative of France to the United Nations

(Signed) Sir David HANNAY
Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations

Annex I

DECLARATION ON YUGOSLAVIA

(Extraordinary EPC Ministerial Meeting,
Brussels, 16 December 1991)

[Original: English/French]

The European Community and its member States discussed the situation in Yugoslavia in the light of their guidelines on the recognition of new States in Eastern Europe and in the Soviet Union. They adopted a common position with regard to the recognition of Yugoslav republics. In this connection they concluded the following:

The Community and its member States agree to recognize the independence of all the Yugoslav republics fulfilling all the conditions set out below. The implementation of this decision will take place on 15 January 1992.

They are therefore inviting all Yugoslav republics to state by 23 December whether:

- they wish to be recognized as independent States;

- they accept the commitments contained in the above-mentioned guidelines;

- they accept the provisions laid down in the draft convention - especially those in chapter II on human rights and rights of national or ethnic groups - under consideration by the Conference on Yugoslavia;

- they continue to support

  - the efforts of the Secretary-General and the Security Council of the United Nations, and

  - the continuation of the Conference on Yugoslavia.

The applications of those republics which reply positively will be submitted through the chair of the Conference to the arbitration commission for advice before the implementation date.

In the meantime, the Community and its member States request the United Nations Secretary-General and the United Nations Security Council to continue their efforts to establish an effective cease-fire and promote a peaceful and negotiated outcome to the conflict. They continue to attach the greatest importance to the early deployment of a United Nations peace-keeping force referred to in United Nations Security Council resolution 724.

The Community and its member States also require a Yugoslav republic to commit itself, prior to recognition, to adopt constitutional and political guarantees ensuring that it has no territorial claims towards a neighbouring community State and that it will conduct no hostile propaganda activities versus a neighbouring community State, including the use of a denomination which implies territorial claims.

Annex II

DECLARATION ON THE "GUIDELINES ON THE RECOGNITION OF NEW STATES IN EASTERN EUROPE AND IN THE SOVIET UNION"

(Extraordinary EPC Ministerial Meeting,
Brussels, 16 December 1991)

[Original: English/French]

In compliance with the European Council's request, Ministers have assessed developments in Eastern Europe and in the Soviet Union with a view to elaborating an approach regarding relations with new States.

In this connection they have adopted the following guidelines on the formal recognition of new States in Eastern Europe and in the Soviet Union:

"The Community and its member States confirm their attachment to the principles of the Helsinki Final Act and the Charter of Paris, in particular the principle of self-determination, they affirm their readiness to recognize, subject to the normal standards of international practice and the political realities in each case, those new States which, following the historic changes in the region, have constituted themselves on a democratic basis, have accepted the appropriate international obligations and have committed themselves in good faith to a peaceful process and to negotiations.

Therefore, they adopt a common position on the process of recognition of these new States, which requires:

- Respect for the provisions of the Charter of the United Nations and the commitments subscribed to in the Final Act of Helsinki and in the Charter of Paris, especially with regard to the rule of law, democracy and human rights;

- Guarantees for the rights of ethnic and national groups and minorities in accordance with the commitments subscribed to in the framework of the CSCE;

- Respect for the inviolability of all frontiers which can only be changed by peaceful means and by common agreement;

- Acceptance of all relevant commitments with regard to disarmament and nuclear non-proliferation as well as to security and regional stability;

- Commitment to settle by agreement, including where appropriate by recourse to arbitration, all questions concerning State succession and regional disputes.

The Community and its member States will not recognize entities which are the result of aggression. They would take account of the effects of recognition on neighbouring States.

The commitment to these principles opens the way to recognition by the Community and its member States and to the establishment of diplomatic relations. It could be laid down in agreements."